# Washington, Thursday, July 7, 1938

# The President

#### EXECUTIVE ORDER

ESTABLISHING RUBY LAKE MIGRATORY
WATERFOWL REFUGE

#### NEVADA

By virtue of and pursuant to the authority vested in me as President of the United States and by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that all lands owned or controlled by the United States within the following-described areas and within the meander line of Ruby Lake, comprising approximately 37,540 acres, in Elko and White Pine Counties, Nevada, be, and they are hereby, reserved and set apart, subject to existing valid rights, for the use of the Department of Agriculture as a refuge and breeding ground for migratory birds and other wildlife: Provided, That any private lands within the areas described shall become a part of the refuge hereby established upon the acquisition of title thereto or lease thereof by the United States:

# MOUNT DIABLO MERIDIAN

T. 25 N., B. 57 E., secs. 1 and 2,
sec. 3, E½NE¼ and NE¼SE¼; T. 26 N., R. 57 E.,
sec. 1, E½, sec. 11, NE¼SE¼ and S½SE¼, secs. 12 and 13,
sec. 14, lots 1, 2, 3, 4 and NW1/4NE secs. 23 and 26, all,
sec. 27, E½SE¼, sec. 34, lots 1, 2, 3 and SE¼SE¼,
sec. 35, all; T. 27 N., R. 57 E., sec. 24, SE½SE½,
sec. 25, E½NE¼, sec. 36, NE¼NE¼ and SE¼SE¼;
T. 25 N., R. 58 E., sec. 6, lots 1, 2, 3 and 4;
T. 26 N., R. 58 E., sec. 4, W½, secs. 5, 6 and 8,
secs. 9 and 16, W½, secs. 17 and 20,
secs. 21 and 28, W1/2, secs. 29, 31 and 32,
sec. 33, W1/2;

T. 27 N., R. 58 E.,	
sec. 2, lots 3, 4 and SW!4NW!4,	
secs. 3 to 7, inclusive,	
sec. 9, all,	
sec. 10, NWKNWK, SKNWK and SWK	
sec. 15, W <sub>1/2</sub> ,	
secs. 16, 18, 19 and 21,	
secs. 22 and 27, W1/2.	
secs. 28, 30, 31, 32 and 33;	
T. 28 N., R. 58 E.,	
sec. 20, E%NE% and lots 1 and 2,	
secs. 21 and 22,	
sec. 23, N1/4SW1/4, lots 1, 2 and SE1/4,	
sec. 26, all,	
sec. 29, lots 1, 2, 3 and 4,	
sec. 31, W1/2 SE1/4,	
sec. 32, lots 1, 2, 3 and 4,	
secs. 34 and 35.	
This recorrection shall be known as the	۵.

This reservation shall be known as the Ruby Lake Migratory Waterfowl Refuge.

#### FRANKLIN D ROOSEVELT

THE WHITE HOUSE, July 2, 1938.

## [No. 7923]

[F. R. Doc. 38-1914; Filed, July 5, 1938; 3:10 p. m.]

## EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER NO. 6908 OF NOVEMBER 21, 1934, WITHDRAWING PUBLIC LANDS

### ALASKA

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497 and Public Resolution No. 85, approved June 12, 1930, ch. 471, 46 Stat. 580, it is ordered as follows:

Section 1. Executive order No. 6908 of November 21, 1934, withdrawing land in Alaska pending legislation, is hereby revoked.

Section 2. Subject to valid existing rights, and pursuant to Public Resolution No. 85, approved June 12, 1930, ch. 471, 46 Stat. 580, the vacant, unreceived public lands in the areas released from such withdrawal shall be open to entry, under the homestead laws applicable to Alaska, by qualified ex-service men for whose service recognition is granted by the said resolution under the terms and conditions of the said resolution and the regulations issued pursuant thereto, for

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Washington, D. C.

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a period of ninety-one days beginning with the sixty-third day from and after the date hereof, and thereafter the lands shall be subject to appropriation by the general public under any public-land law applicable thereto. Subsequent to the date hereof and prior to the date of restoration for general disposition as herein provided, no right may be acquired to such lands by settlement in advance of entry or otherwise, except strictly in accordance with the provisions of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

July 5, 1938.

[No. 7924]

[F. R. Doc. 38-1915; Filed, July 5, 1938; 3:10 p.m.]

## EXECUTIVE ORDER

ENLARGING THE SALT PLAINS WILDLIFE REFUGE

### OKLAHOMA

By virtue of and pursuant to the authority vested in me as President of the United States and by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by

the act of August 24, 1912, ch. 369, 37 Stat. 497, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described public land, comprising 5.60 acres, more or less, in Alfalfa County, Oklahoma, be, and it is hereby, withdrawn from settlement, location, sale, or entry, and re-served and set apart for the use of the Department of Agriculture, subject to valid existing rights, as an addition to the Salt Plains Wildlife Refuge, established by Executive Order No. 5314 of March 26, 1930:

INDIAN MERIDIAN

T. 26 N., R. 9 W., sec. 11 lot 5.

Executive Order No. 6964 of February 5, 1935, withdrawing for classification and other purposes all vacant, unreserved, and unappropriated public lands in Oklahoma and certain other states, is hereby revoked as to the above-described land.

Franklin D Roosevelt

THE WHITE HOUSE.

July 5, 1938.

[No. 7925]

[F. R. Doc. 38-1923; Filed, July 6, 1938; 11:01 a. m.]

# Rules, Regulations, Orders.

# TITLE 7—AGRICULTURE

FEDERAL CROP INSURANCE CORPORATION

[F. C. I. R .- Series 1, No. 1]

AMENDMENT TO REGULATIONS RELATING TO WHEAT CROP INSURANCE

Section 34 of the "Regulations Relating To Wheat Crop Insurance" adopted by the Board of Directors on April 26, 1938, and approved by the Secretary of Agriculture on April 28, 1938,1 is hereby amended by adding thereto the following new subsection:

"(c) In any county where the data regarding yields of wheat for the period 1930-35 compiled in connection with wheat adjustment programs are not available for a representative sample of the farms in the county, the adjustment figure for the county will be determined so as to result in adjusted average yields for farms in the county which the Corporation determines will be fair and just."

Approved, June 18, 1938.

[SEAL]

CECIL A. JOHNSON. Acting Manager.

Approved, June 24, 1938.

H. A. WALLACE,

Secretary of Agriculture.

[F.R.Doc. 38-1924; Filed, July 6, 1938; 12:35 p. m.]

<sup>1</sup>3 F. R. 1015 DI.

# TITLE 19—CUSTOMS DUTIES BUREAU OF CUSTOMS

[T. D. 49640]

NOTICE OF ADDITIONAL FACTS REQUIRED TO BE INCLUDED ON CUSTOMS INVOICES OF CERTAIN IMPORTED OILS OR THE PROD-UCTS OF SUCH OILS

JULY 2, 1938.

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 481 (a) (10), Tariff Act of 1930 (U.S.C. title 19, sec. 1481 (a) (10)), and with reference to article 274 (e) (2). Customs Regulations of 1937, as amended by T. D. 49426, customs invoices of the oils or the products of such oils, upon which an import tax is imposed by section 601 (c) (8), Revenue Act of 1932, as amended by section 701, Revenue Act of 1936 (U. S. C., Sup. III, title 26, sec. 999 (a)), as further amended by section 702 (a), Revenue Act of 1938 (Public, No. 554, 75th Congress), are required to contain a statement of the identity of the taxable article, merchandise, or combination, the name of the oils or products from which each taxable ingredient present is derived, and the percentage by weight which each ingredient present in the imported article bears to the total weight of the article imported. This additional data is required in respect to the following articles:

Whale oil (except sperm oil), fish oil (except cod oil, cod-liver oil, and halibutliver oil), marine-animal oil, tallow, inedible animal oils, inedible animal fats, inedible animal greases, sesame oil provided for in paragraph 1732 of the Tariff Act of 1930, sunflower oil, rapeseed oil, kapok oil, hempseed oil, perilla oil, fatty acids derived from any of the foregoing or from linseed oil, salts of any of the foregoing, and fatty acids, and salts thereof, derived from coconut oil, palm oil, or palm-kernel oil, all of the foregoing, whether or not refined, sulphonated, sulphated, hydrogenated, or otherwise processed; any article, merchandise, or combination 10 per centum or more of the quantity by weight of which consists of, or is derived directly or indirectly from, one or more of the products specifled above.

The number of this Treasury decision should be noted as a marginal reference opposite article 274 (e) (2), Customs Regulations of 1937, as amended.

[SEAL]

JAMES H. MOYLE, Commissioner of Customs.

[F. R. Doc. 38-1925; Filed, July 6, 1938; 12:43 p. m.]

# TITLE 25—INDIANS OFFICE OF INDIAN AFFAIRS

DECLARATIONS OF OWNERSHIP OF REINDEER IN ALASKA

JUNE 11, 1938.

Memorandum to the Secretary:

In accordance with the provisions of Section 3 of the Act of September 1, 1937 (50 Stat. 900), which requires that all persons other than natives of Alaska who claim title to reindeer shall file with the duly authorized agent of the Secretary of the Interior declarations of their ownership within the time limits specified in the Act, there are transmitted herewith a suggested blank form listing information desired to be furnished in such declarations, together with a circular of instructions to reindeer owners, which provides that declarations of ownership shall be filed with the General Reindeer Supervisor at Nome, Alaska, as the duly authorized agent of the Secretary of the Interior, with whom all declarations of reindeer ownership required by the Act of September 1, 1937, must be filed within the time limits specified in the Act.

> WILLIAM ZIMMERMAN, Jr. Assistant Commissioner.

> > JUNE 17, 1938.

The General Reindeer Supervisor at Nome, Alaska, is hereby designated as the duly authorized agent of the Secretary of the Interior, with whom all declarations of reindeer ownership required by the Act of September 1, 1937, must be filed within the time limits specified in the Act.

The attached instructions regarding the filing of declarations of ownership of reindeer in Alaska and the attached blank form for use in filing such declarations are hereby approved.1

OSCAR L. CHAPMAN, Assistant Secretary of the Interior.

INSTRUCTIONS REGARDING FILING OF DECLARA-TION OF OWNERSHIP OF REINDEER IN ALASKA, AS REQUIRED BY THE ACT OF SEP-TEMBER 1, 1937 2

JUNE 17, 1938.

1. Section 3 of the Act of September 1, 1937, reads as follows:

All persons, other than natives of Alaska, who upon the date of this enactment claim title to any Alaskan reindeer shall, within one year after the date of this enactment, file in Alaska, with the duly authorized agent or agents of the Secretary of the Interior, declarations of their ownership. Similar declarations concerning Alaskan reindeer acquired by any person not a native of Alaska by purchase or by diff at any time after the by purchase or by gift at any time after the date of this enactment shall be filed as afore-

2 59 Stat. 900.

said within thirty days after the date of such | in Bond, approved June 3, 1938, are acquisition. Records of all declarations thus filed shall be made and kept open to public inspection in Alaska. If any owner of Alaskan reindeer, to whom the foregoing provisions of this section are applicable, thall fall to file the required declaration within the stated period, he shall be barred thereafter from asserting his claim of title.

- 2. Section 15 of the Act defines "natives of Alaska" thus:
- kimos, and Aleuts of whole or part blood in-habiting Alaska at the time of the Treaty of Cession of Alaska to the United States and their descendants of whole or part blood, to-gether with the Indians and Ekimos who, since the year 1867 and prior to the chactment hereof, have migrated into Alacka from the Dominion of Canada, and their descendants of the whole or part blood."
- 3. Pursuant to the provisions of Section 3 of the Act, declarations of ownership of reindeer in Alaska should be made by claimants upon the prescribed form attached. This form should be executed in quadruplicate. All four copies should be submitted in person or by mail to the General Reindeer Supervisor, Nome, Alaska, who has been designated as the duly authorized agent of the Secretary of the Interior pursuant to Section 3 of the afore-mentioned Act. Envelopes containing declarations of ownership of reindeer which are mailed to said agent must bear postmarks not later than midnight of September 1, 1938, in order to meet the requirements of the law. All dec-larations submitted in person by the owner, or his representative, must be filed with said agent at his office at Nome, Alaska, on or before five o'clock P. M., September 1, 1938.
- 4. Upon receipt of each person's declaration of ownership of reindeer in Alaska, the General Reindeer Supervisor shall sign the receipt thereof in the proper place in the form, and shall submit two copies of the declaration to the Commissioner of Indian Affairs, retain one copy in his record, and return one copy to the claimant. All declarations of ownership of reindeer in Alaska which are included in the records of the Office of the General Reindeer Supervisor shall be kept open to public inspection in Alaska in accordance with Section 3 of the said Act.

OSCAR L. CHAPMAN. Assistant Secretary of the Interior.

[F. R. Doc. 38-1920; Filed, July 6, 1938; 9:53 a.m.]

TITLE 26-INTERNAL REVENUE BUREAU OF INTERNAL REVENUE (T. D. 4823)

BOTTLING OF DISTILLED SPIRITS IN BOND

AMENDING REGULATIONS NO. 6

To District Supervisors and Others Concerned:

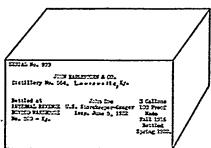
Sections 19, 30 (b) and 38, of Regulations No. 6, Bottling of Distilled Spirits | 13 P.R. 1348 DL

hereby amended to read as follows:

Sec. 19. Overprinting of stamps.-Bottled-in-bond stamps must be overprinted, such overprinting to be in the blank spaces provided therefor. At such time as the proprietor of the warehouse desires to have stamps overprinted and cut the storekeeper-gauger will deliver the stamps to him. One overprinting only will be permitted on any stamp and the printer will be approved by the supervisor. Overprinting will be done in red ink with not less than eight point type. The season when the spirits were made and the season when bottled will be placed in the blank space on the end of the stamp bearing the serial number, except in the case of stamps of "Less than 1/2 Pint" denomination, which do not have serial numbers, the season when made and the season when bottled will be placed on the right-hand end of the stamp. In the blank space on the other end of the stamp will be placed the name of the actual bona fide distiller, or the name of the individual, firm, partnership, corporation, or association in whose name the spirits were produced and warehoused. Overprinting of the stamp will be in the following form:



Sec. 30. (b) The marks and brands will be placed on the cases in the following manner and order:



Sec. 38. Stamping and casing distilled spirits.—All distilled spirits of each par-ticular "dump" transferred to a bottling tank should be immediately drawn off into bottles of the desired size or sizes. as provided in section 14. Application should be made in duplicate on Form 1515 (part 1) to the storekeeper-gaugerin-charge of the warehouse for stamps sufficient to cover the quantity of spirits to be bottled. Stamps will be issued by the storekeeper-gauger to the proprietor in proper serial order, starting with the lowest serial number of the stamps of the denomination desired on hand at the time of issuance. The proprietors will not be required to affix stamps to containers in serial order. If after filling the cases there remain bottles less than the number necessary to constitute a full case, such bottles may be stamped

<sup>&</sup>lt;sup>1</sup>The form was filed as a part of the original document with the Division of the Federal Register, The National Archives; requests for copies should be addressed to the General Reindeer Supervisor at Nome, Alaska.

the same manner as the cases described in section 27 or section 28, which remnant is to be given the serial number of the last full case containing spirits in the same lot followed by the letter "R," thus: "100R," or "161R." Such remnant should be removed from the warehouse with the cases; appropriate entries to be made in the records. The stamps must be securely affixed to the bottles with the use of a good adhesive. The adhesive used must be in proper liquid condition, and care must be taken to cover the entire back of the stamp with the adhesive, and to press the whole surface of the stamp firmly against the surface of the bottle sufficiently long to cause the entire surface of the stamp to adhere securely to the bottle. The stamp must pass over the neck of the bottle, extending in equal distance on two sides of the bottle. No part of the stamp shall be concealed or obscured by any label or other covering, except that a cup may be placed over the opening of the bottle or the bottle may be placed in a carton as hereinafter provided. Seals made of cellulose or other material which is shrunk or otherwise fitted over the necks of the bottles to cover the stamps must be so completely transparent as to permit the stamps to be plainly seen and the printed matter thereon easily read. No cup or cap may be placed over the opening of a bottle and cover the stamp, unless such cup or cap is completely transparent or is so placed on the bottle that it may be readily removed at any time without injury to the stamp and the arrangement is such that the ends of the stamp will be plainly visible when the cap or cup is in place. Cartons or other coverings of bottles of distilled spirits are permitted, if so made that they may be opened and closed without being torn or broken. Sealed cartons or other coverings may not be used unless transparent or unless openings therein permit the entire stamp to be plainly seen and the printed matter thereon easily read. Upon completion of the bottling the storekeeper will enter the details thereof on part 2, of Form 1515, and will forward one copy of the form to the district supervisor and file one copy in his office.

GUY T. HELVERING, Commissioner of Internal Revenue.

Approved, July 2, 1938.

STEPHEN B. GIBBONS, Acting Secretary of the Treasury.

[F. R. Doc. 38-1926; Filed, July 6, 1938; 12:43 p.m.]

# and placed in a container constructed in | TITLE 33-NAVIGATION AND NAVI-GABLE WATERS

#### WAR DEPARTMENT

TEMPORARY REGULATIONS GOVERNING USE, Administration, and Navigation of LOCK AND DAM, BEAUMONT NAVIGATION DISTRICT, ACROSS TAYLORS BAYOU, TEXAS

#### THE LAW

[Here follows, in the original document, an excerpt from Section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266), which may be found at 3 F. R. 1111 DI.]

#### THE REGULATIONS

In pursuance of the foregoing law, the following temporary regulations are hereby prescribed to govern the use, administration, and navigation of the Beaumont Navigation District lock and dam across Taylors Bayou, Texas, from June 25 to October 1, 1938, inclusive.

Pleasure boats, house boats and other craft not employed for commercial purposes, will be locked through only at 6:00 and 11:45 a. m. and 6:30 p. m., except in cases of emergency; but whenever a lockage is made for a commercial boat other craft may likewise pass through if there is room in the lock.

The lock tender or one in charge of the lock shall be the judge as to whether the boat presenting itself for lockage is a commercial or pleasure boat.

Approved, June 24, 1938.

HARRY H. WOODRING. [SEAL] Secretary of War.

[F.R. Doc. 38-1921; Filed, July 6, 1938; 9:53 a.m.]

# TITLE 43—PUBLIC LANDS GENERAL LAND OFFICE

AIR NAVIGATION SITE WITHDRAWAL No. 73, UTAH, ENLARGED

JUNE 2, 1938.

It appearing that the following-described public land in Utah is necessary for the purpose, it is ordered, under and pursuant to the provisions of section seven of the act of June 28, 1934, 48 Stat. 1269, as amended by the act of June 26, 1936, 49 Stat. 1976, and section four of the act of May 24, 1928, 45 Stat. 728, that such land be, and it is hereby, withdrawn from all forms of appropriation under the public-land laws, subject to valid existing rights, for use by the Department of Commerce in the maintenance of air navigation facilities:

SALT LAKE MERIDIAN

R. 19 W., sec. 20, N1/2 NE1/4 and SE'4NE'4, 120 acres.

OSCAR L. CHAPMAN, Assistant Secretary of the Interior. (F. R. Doc. 38-1919; Filed, July 6, 1938; 9:53 a. m.]

[Circular No. 863 (b)]

EXCHANGES FOR THE CONSOLIDATION OR EXTENSION OF NATIONAL FORESTS

1. Statutory authority.

Preliminary negotiations.
 Approval of informal application.

4. Formal application. Affidavits required.

6. Fees

7. Publication and posting.

Action by register. 9. Deed of conveyance.

10. Evidence of title.

11. Application for timber.
12. Action by the General Land Office.
13. Practice and procedure.
14. Right reserved to reject applications.

15. Other forest exchanges. 16. Conveyed lands added to National Forests.

JUNE 17, 1938.

1. Statutory authority.-The act of March 20, 1922 (42 Stat. 465), provides that when the public interests will be benefited thereby, the Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States title to any lands within national forests which, in the opinion of the Secretary of Agriculture, are chiefly valuable for national forest purposes, and in exchange therefor may patent not to exceed an equal value of such national forest land, in the same State, or the Secretary of Agriculture may authorize the grantor to cut and remove an equal value of timber within the national forests in the same State; the values in each case to be determined by the Secretary of Agriculture.

The act of March 20, 1922, was amended by the act of February 28, 1925 (43 Stat. 1090), by adding thereto section 2, which provides that either party to such an exchange may make reservations of timber, minerals, or easements, the values of which shall be duly considered in determining the values of the exchanged lands.

2. Preliminary negotiations.-All preliminary negotiations relating to an exchange under the act are to be conducted with the local representatives of the Forest Service, and any owner of land subject to exchange who desires to take advantage of the privilege conferred by this act must file with the local national forest officers an informal application describing the land to be conveyed as well as that to be selected, or if timber is desired in exchange the land on which such timber is located. The land must be specifically described according to Government subdivisions, and, as a rule, nothing less than a legal subdivision may be offered or selected, except where the applicant or the Government does not own the entire legal subdivision, or where a portion of a legal subdivision offered the Government is not valuable for national forest purposes, or where the United States desires to retain ownership of a portion or portions of a legal subdivision selected by the applicant due to the fact that such tract or tracts are chiefly valuable for national forest purposes. The selected land or timber must be entirely within national forest boundaries and in the same State in which the offered lands are located. The applicant must show by affidavit or other evidence satisfactory to the Forest Service that he is the owner of the land to be conveyed, and that such land is equal in value to the land or timber selected.

3. Approval of informal application. When a tentative agreement has been reached between the applicant and the local national forest officer the case will be submitted to the Regional Forester and if approved by him to the Chief, Forest Service, Washington, D. C., for consideration. If the Chief, Forest Service. finds the exchange to be in the public interests and that the selected land or timber does not exceed the offered land in value, he will request the Secretary of Agriculture to advise the Secretary of the Interior that the acceptance of the certain described lands offered under the act and the granting in lieu thereof of other certain described lands, or of stumpage upon other described lands. meets with the approval of the Department of Agriculture; that the offered lands are chiefly valuable for national forest purposes, and that the appraised value of the land or timber selected does not exceed that of the land offered in exchange. The Secretary of the Interior, upon receipt of such letter from the Secretary of Agriculture, unless he has reason to do otherwise, will approve the exchange, subject to the submission of acceptable title to the offered lands and to full compliance by the applicant with these regulations, and subject to any protests or other valid objections which may appear.

4. Formal application.—The General Land Office will notify the register of the district land office in whose district the land or timber to be selected is located of the approval of the exchange, and such register will in turn notify the person desiring to make such exchange of the approval thereof and that he is allowed 60 days from receipt of notice within which to file his formal application specifically describing the offered and selected lands, and in case timber is selected, the land on which the timber is located. The application must be accompanied by the necessary affidavits and fees.

Applications for exchange under this act, and the affidavits required by these regulations as to the offered and selected lands, should be in accordance with the appended form, or its substantial equivalent. Each application will be given a serial number and have the hour and date of filing stamped thereon. The register will note on his records against the land, "Selected under act of March 20, 1922 (42 Stat. 465), by \_\_\_\_\_ (date

the applicant that he or it is the owner to the Government, and abstract of title, of the land offered in exchange and that as prescribed in paragraphs numbered said land is not the basis of another selection or exchange must be filed. There must also be furnished an affidavit by the applicant or by some credible person possessed of the requisite personal knowledge, showing that the land selected is nonmineral in character; that it contains no salt springs or deposits of salt in any form sufficient to render it chiefly valuable therefor: that it is not in any manner occupied or claimed adversely to the selector.

Where the application is filed by an individual he will be required to show by affidavit that he is 21 years of age, and otherwise capable of carrying through the transaction.

These affidavits may be executed before any officer qualified to administer caths.

Where the application is made by or in behalf of a corporation, a certified copy of the articles of incorporation must be furnished.

6. Fees.—Fees must be paid by the applicant at the rate of \$2 for each 160 acres, or fraction thereof, of the base lands offered and conveyed to the Government.

7. Publication and posting.—Within 30 days from the filing of his formal application to select land or timber the applicant will begin publication of notice thereof, at his own expense, in some newspaper or newspapers designated by the General Land Office and having general circulation in the county or counties in which the land offered and the land or timber selected are situated. Such notice must be published once each week for four successive weeks during which time a similar notice of the application must be posted in the district land office. The notice should describe the land or timber applied for as well as the land offered in exchange and give the date of filing of the application and state that the purpose thereof is to allow all persons claiming the land selected or having bona fide objections to such application an opportunity to file their protests with the register of the land district in which the land selected is situated. Proof of publication shall consist of an affidavit of the publisher or of the foreman or other proper employee of the newspaper in which the notice was published, with a copy of the published notice attached. The register shall certify to the posting in his office. The dates of such publication and posting must in all cases be given.

8. Action by register.—If a protest is filed, all the papers should be transmitted to the General Land Office for consideration; but should no protest be filed against the allowance of the selection within 30 days from the date of the first publication of notice, and no objections appear on the records of the district land office, the register will notify \_\_\_\_, serial No. \_\_\_\_\_, pending) " from receipt of notice within which to stract must be signed by the recorder of

5. Affidavits required.—An affidavit by file the deed conveying the offered land 9, 10 and 11. The proof papers necessary to complete a selection should be filed at the same time. However, if additional time is necessary to complete the abstract, the same will be granted upon a proper showing. After the filing of the required deed of conveyance, abstract of title, and other proof, the register will certify the condition of the record on the application and will promptly transmit the original application and accompanying papers to the General Land Office by special letter.

9. Deed of conveyance.-The deed conveying the land offered as a basis of exchange must be executed and acknowledged in the same manner as a conveyance of real property is required to be executed and acknowledged by the laws of the State in which the land is situated. The deed should also be duly recorded. The deed should recite that the consideration for the conveyance to the United States of the land offered is the exchange therefor of not exceeding an equal value of certain other land, or of timber equal in value to the land conveyed, depending upon whether the exchange is one of land for land, or land for timber. The act or acts under which the exchange is made should be cited in the deed.

Such revenue stamps as are required by law must be affixed to the deed and canceled.

Where the conveyance is made by an individual it must show whether the person conveying is married or single, and if married, the wife or husband of such person, as the case may be, must join in the execution of the conveyance in such a manner as to effectually bar any right of curtesy or dower, or any claim whatsoever to the land conveyed, or it must be fully shown that under the laws of the State in which the conveyed land is situated such wife or husband has no interest whatsoever, present or prospective, which makes her or his joining in the conveyance necessary.

Where the conveyance is by a corporation, it should be recited in the instrument of transfer that it was executed pursuant to an order or by the direction of the board of directors or other governing body, a copy of which order or direction should accompany such instrument of transfer, and should bear the impression of the corporate seal.

10. Evidence of title.- Each conveyance must be accompanied by a duly authenticated abstract of title, showing that at the time the conveyance was recorded the title was in the party conveying, and that the land was free from conflicting record claims, tax liabilities, judgment or mortgage liens, pending suits or other encumbrances.

(a) Authentication of abstract.—The the selector that he is allowed 60 days certificate of authentication of the ab-

official seal, or, if it is preferred, the abstract may be authenticated by an abstracter or an abstract company, approved by the General Land Office, in accordance with section 42 of the Mining Regulations of April 11, 1922 (49 L. D. 15, 69). The certificate must show the title memoranda to be a full, true, and complete abstract of all matters of record or on file in the appropriate office or offices of the county or counties in which the offered land is located, including all conveyances, mortgages, or other encumbrances, judgments against the various grantors, mechanics' liens, lis pendens, or other instruments which are required by law to be filed with the recording officers affecting in any manner whatsoever the title to the described land.

(b) Taxes.—The authenticity of the tax records must be certified showing that all taxes levied or assessed against the land, or that could operate thereon as a lien, have been fully paid; or whether there is a tax lien although such tax is not assessed, due or payable: that there are no unredeemed tax sales and no tax deeds outstanding as shown by the records of the proper county office. In case taxes have been assessed or levied on lands conveyed to the United States and such taxes are not due and payable until some future date, the applicant, in addition to the certificate above required relative to taxes and tax assessments, may submit a sum equal to at least twice the amount of taxes paid on the land for the previous year or in lieu thereof furnish a bond in like amount with qualified corporate surety, in order to indemnify the United States against loss for the taxes assessed or levied but not yet due and payable.

(c) Judgment liens, lis pendens, absence of.—The absence of judgment liens or pending suits against the various grantors which might affect the title of the land conveyed must be shown by the official certificate of the clerks of the courts of record, whose judgments, under the laws of the United States or the State in which the land is situated, would be a lien on the land conveyed.

(d) Title insurance.—Title insurance issued by a company which is acceptable to the General Land Office may be furnished in lieu of an abstract of title and same accepted upon proof that the insuring company is solvent and properly qualified, provided the policy is free from conditions and stipulations unacceptable to the United States.

11. Application for timber.—If timber is desired in exchange for the land to be conveyed to the United States, proof that notice has been published and posted will be all the evidence necessary to be filed in regard to the timber, but all the proof required in connection with the land offered as a basis for the exchange must

12. Action by the General Land Office.—The application and accompanying

deeds or other proper official, under his Land Office, be examined at as early a United States pursuant to these reguladate as practicable, and if found defective opportunity will be given the parties in interest to cure the defects, if possible. If the selection appears regular and in conformity with the law and these regulations, the selection will, in the absence of objections, if for land only, be formally approved for patent by letter to the district land office, but if timber is taken in exchange the Secretary of Agriculture will, upon advice of the Secretary of the Interior that the regulations have been fully complied with, issue proper permit or certificate for the cutting of the timber.

13. Practice and procedure.-Notice of additional or further requirements, rejections, or other adverse actions of Registers, the Commissioner or the Secretary, will be given and the right of appeal, review, or rehearing recognized in the manner now prescribed by the Rules of Practice, except as otherwise herein provided. A protest or other objection against the selection or the application to select, must be filed with the register to be forwarded to the General Land Office for consideration and disposal. If there is no district land office in the State in which the lands involved in an application for exchange are situated, the formal application for exchange and all papers required in connection therewith, as well as all protests or other objections against the application, should be filed in the General Land Office.

Application to enter filed subsequent to any conflicting application to select will be rejected, except where the subsequent application to enter is supported by allegations of prior right, in which event it will be transmitted to the General Land Office with appropriate recommendation. Applications presented under these regulations not in substantial conformity with the requirements herein made, not accompanied by the prescribed proof, or where land offered as basis of exchange or the land selected is not situated within the boundaries prescribed by existing laws will be rejected, subject to appeal or curing of the defect where nossible

14. Right reserved to reject applications.—Applications to select either land or timber under the provisions of the act will not defeat the right of the United States to withdraw or reserve the land for such purposes or uses as may be proper prior to the filing in the district land office of an application complete in all particulars.

15. Other forest exchanges.—Other acts providing for exchanges of lands in national forests will be found in a list appended hereto. Special regulations governing these acts have not been prepared, but exchanges thereunder must be made under the foregoing regulations, modified however to meet the limitations, conditions and provisions of the acts mentioned.

16. Conveyed lands added to National proof will, upon receipt by the General Forests.—All lands conveyed to the

tions shall, upon acceptance of title, become parts of the national forests within whose boundaries they are located.

These regulations supersede those approved March 20, 1925 (51 L. D. 69).

> FRED W. JOHNSON, Commissioner.

Approved, June 2, 1938.

E. K. Burlew. Acting Secretary of the Interior.

JUNE 17, 1938.

W. R. GREGG, Acting Secretary of Agriculture.

THE FOLLOWING ACTS OF CONGRESS AUTHORIZE EXCHANGES WITHIN THE VARIOUS NATIONAL FORESTS

#### Date of Act and Forest

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3-13-08 (35 Stat. 42), Crow Creek National
      0rest.
2-18-09 (35 Stat. 626), Calaveras Big Trees,
5-7-12 (37 Stat. 108), Calaveras Big Trees,
7-31-12 (37 Stat. 241), State of Michigan.
8-22-12 (37 Stat. 323), Pecos-Zuni,
4-16-14 (38 Stat. 345), Sierra-Stanislaus.
       3-3-17 (39 Stat. 1122), National Forests in
 Montana.
      Iontana.
6-5-20 (41 Stat. 986), Harney.
3-4-21 (41 Stat. 1366), Rainier.
12-20-21 (42 Stat. 350), Shoshone.
2-2-22 (42 Stat. 362), Deschutes.
3-20-22 (42 Stat. 465), All.
9-22-22 (42 Stat. 1018), State of Idaho.
9-22-22 (42 Stat. 1017), All.
9-22-22 (42 Stat. 1036), Wenatchee, Olymic. Snoqualmie.
 pic, Snoqualmie.
2-14-23 (42 Stat. 1245), Lincoln (For regulations see Circular 888, approved April 9, 1923, 49 L. D. 529).
6-7-24 (43 Stat. 643), Forests in New
 Mexico.
       1-12-25 (43 Stat. 739), Forests in New
 Mexico.
Mexico.
2-20-25 (43 Stat. 952), Plumas, Eldorado,
Stanislaus, Shasta, Tahoe.
2-28-25 (43 Stat. 1079), Mt. Hood.
2-28-25 (43 Stat. 1070), All.
2-28-25 (43 Stat. 1074), Snoqualmic.
3-3-25 (43 Stat. 1215), All.
3-3-25 (43 Stat. 1117), Custer.
3-4-25 (43 Stat. 1279), Umatilla, Wallowa,
Whitman
  Whitman.
       3-4-25 (43 Stat. 1282), Whitman.
4-21-26 (44 Stat. 303), All Forests in New
 Mexico and Arizona.
      5-26-26 (44 Stat. 655), Absaroka, Gallatin,
 Yellowstone Park.
       6-15-26 (44 Stat. 746), National Forests in
 New Mexico.
       2-15-27 (44 Stat. 1099), Black Hills and
2-15-27 (44 Stat. 1099), Black Hills and
Harney.
3-2-27 (44 Stat. 1262), State of Oregon.
3-3-27 (44 Stat. 1378), Arapaho.
3-4-27 (44 Stat. 1412), Colville.
3-26-28 (45 Stat. 370), Mantl.
4-10-28 (45 Stat. 415), Challis, Sawtooth.
4-16-28 (45 Stat. 431), Carson, Manzano,
 Santa Fe.
       4-23-28 (45 Stat. 450), Crater
      5-17-28 (45 Stat. 598), Missoula.
1-30-29 (45 Stat. 1145), Montana.
2-7-29 (45 Stat. 1154), Lincoln (For regu-
 lations see Circular approved March 22, 1929, "K" 1327799).
      K" 1327799).
5-14-30 (46 Stat. 278), Fremont.
2-25-32 (47 Stat. 55), Cacho.
6-30-32 (47 Stat. 451), Sluslaw.
3-4-33 (47 Stat. 1563), Modoc.
3-4-33 (47 Stat. 1569), Gunnison.
4-30-34 (48 Stat. 649), St. Joe.
6-13-35 (49 Stat. 338), Slisklyou.
6-13-35 (49 Stat. 338), Willametto.
6-25-35 (49 Stat. 422), Lincoln.
8-2-35 (40 Stat. 588), Chelan
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8-2-35 (49 Stat. 508), Chelan.

6-19-36 (49 Stat. 1534), Umatilla and Whitman.
7-27-37 (50 Stat. 534), Rogue River. 8-12-37 (50 Stat. 622), Columbia.
8-12-37 (50 Stat. 622), Columbia. 8-21-37 (50 Stat. 739), Snoqualmie.
FORMAL APPLICATION AND AFFIDAVITS
Act of March 20, 1922 (42 Stat. 465)
Serial Number Receipt Number
of,
(Applicant), of (Post Office)
a citizen of the United States, of the age of 21 years, or over hereby applies to exchange under the act of March
applies to exchange under the act of March
20, 1922 (42 Stat. 465), (amendatory acts, if any)
the following described land situated in the
National Forest.
(Reservations or exceptions to which the land is subject should be recited)
for (the following land) (timber from the
following land) (cross out item not applicable)
***************************************
situated in theNational
Forest.
The undersigned, being first duly sworn according to law, deposes and says that is the applicant in the
is the applicant in the
proposed exchange, is the owner of the above
first described land, and that said land is not the basis of any other selection or
exchange.
Subscribed and sworn to before me this
Subscribed and sworn to before me, this day of 19
(Official Designation)
(Official Designation)
(Official Designation)  (The following affidavit to be executed
(Official Designation)  (The following affidavit to be executed only when land is selected.)
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of the Mint of the values of foreign monetary units are hereby proclaimed to be money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning July 1, 1938, expressed in any such foreign monetary units: Provided, however, That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or

of the act of August 27, 1894, as amended, more from a value measured by the buythe following estimates by the Director ingrate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by the values of such units in terms of the such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

> [SEAL] WAYNE C. TAYLOR, Acting Secretary of the Treasury. [F. R. Doc. 38-1922; Filed, July 6, 1938; 9:59 a. m.]

Values of Foreign Monetary Units (at Par as Regards Gold Units; Nongold Units Have No Fixed Par With Gold)

(Reservations or exceptions to which the land is subject should be recited) for (the following land) (timber from the following land) (cross out item not applicable)	Country		Value in terms e! U.S. mency	Remarks
situated in theNational	Argentino Republic	Pc::	91. CCCC	Given valuation is of gold pero. Paper nominally convertible at 44% of these value. Conversion cuspended
Forest.  The undersigned, being first duly sworn according to law, deposes and says that	Australia			Dec. 16, 1929. Control of gold stocks and exports authorized Dec. 17, 1929.
is the annilcant in the	Belgium			By decree of Mar. 31, 1972. One belga equals 5 Belgian francy.
proposed exchange, is the owner of the above first described land, and that said land is	BoliviaBrazil	Beliviare Milreis	.0210	Conversion of notes into gold suspended Sept. 23, 1931.
not the basis of any other selection or exchange.	British Honduras Bulgaria Canada	Dollar	1.6331	Conversion of nates cuspended.
	Bulgaria	Lev	.0122	Exchange control established Oct. 15, 1931.
***************			1.000	Daminion notes in gold suspended Apr. 19. 1933.
Subscribed and sworn to before me, this day of19	Chile		.2003	Conversion of Stabilization-Office notes into gold suspended Nov. 22, 1500. Conversion of notes cuspended. Lichange control established Oct. 15, 1931. Embarge on export of gold, Oct. 10, 1931; redemption of Dominion rates in gold suspended Apr. 10, 1933. Given valuation is of gold peco. Gold pecos are received for conversion at the rate of 4 paper pecos for one gold pero. Conversion of notes suspended July 03, 1631.
	China	Yuan		Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board
(Official Designation)		•		centrel; exchange rate for British currency primarily fixed at about is, 2½d., or about 20½6 U.S., per
(The following affidavit to be executed only when land is selected.)	Hong Kong	Dellar		Treasury notes and notes of the three banks of issue mode legal tender by cilver nationalization ordinance
The undersigned, whose post office address	Colombia	Pess	1.0179	Obligation to cell gold currended Sept. 24, 1931.
is, being duly sworn according to law, deposes and says that	Costa Rica	Colon	.7670	Conversion of notes into gold suspended Sept. 13, 1314;
according to law, deposes and says that is well acquainted with the character of the land selected in this exchange; that his personal knowledge of said land is such as to enable him to testify understandingly with regard thereto; that there is not to his knowledge any valuable mineral of any character whatsoever within the limits thereof; that the land contains no self.	Cuba	Pera.	1,6000	By Live of May 23, 1934.
of the land selected in this exchange: that	Czechoslovakia	Komma	.0351	By decree of Oct. 9, 1930.
his personal knowledge of said land is such	Denmark	Krege	4337	Conversion of notes into gold suspended Sept. 29, 1931.
as to enable him to testify understandingly	Ecuador	Sucre		Conversion of notes into gold suspended Feb. 9, 1932.
with regard thereto; that there is not to his	Egypt	Pound (100 placters)	8,0032	Conversion of notes into gold suspended Sept. 21, 1931.
knowledge any valuable mineral of any	Estonia	Mrcon	.4:37	Conversion of notes into sold suspended June 28, 1833.
springs or deposits of salt in any form suffi- cient to render it chiefly valuable therefor; that said land is essentially nonmineral and nonsaline in character, and is not in any manner occupied or claimed adversely to the			4933	for gold content of franc, capersoded by decree of June 20, 1937, which stated that the gold content of the francehall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree actabilization fund shall regulate the relationship between the franc and funding currencies.
selector.	Germany Great Britain	Pound Sterling	8.237	Obligation to cell gold at legal monetary par suspended Ecpt. 21, 1931.
Subscribed and sworn to before me this	Greece Guatemala Haiti	Drachma.	.0220	Conversion of notes into gold suspended Apr. 26, 1932. Conversion of notes into gold suspended Mar. 6, 1933. National bank notes redsemable on demand in U. S.
day of 19	Guatemala	Quetzal	1.031	Conversion of notes into gold suspended Mar. 6, 1933.
	Haiti	Genrae	.2000	l (iniinma.
(Official Designation)	Honduras		l.	lines as comvaignt of mall of U.S. dollar.
}F. R. Doc. 38–1918; Filed, July 6, 1938; 9:52 a. m.]	Hungary India [British]	Rupee	.ติเรื่อ	Exchange control established July 17, 1931.  Obligation to cell gold at legal monetary par suspended Sept. 21, 1931.
	Indo-China	Pastr		10 French frame; conversion of notes into gold suspended Oct. 2, 1939.
Notices	IrelandItaly	PoundLira	8.277	Obligation to cell gold at legal monetary par suspended Sept. 21, 1631.  Firster perced to French france at the rate of 1 plaster—19 French france; conversion of notes into gold suspended Oct. 2, 1635.  Conversion of notes into gold suspended Sept. 21, 1331.  New yell content of 4.77 milligrams of fine gold per liractiblished by monetary law of Oct. 5, 1635.  Embers on sald events Sec. 13, 1631.
		Ycn	снз.  .	
TREASURY DEPARTMENT.	Latvia	l.	1	
Office of the Secretary.	Liberia. Lithuania Mexico.	Deller Lites Peco	1,631	Brilish money to principal circulating medium. Free export of gold cuspended Oct. 1, 1935. Decree of Aug. 23, 1933, 1918 the monetary unit, the peso,
` [1938—Department Circular No. 1]	1		1	I IN TO INTERCRIPTED BY INV.
Values of Foreign Moneys	Netherlands and colonics. Newfoundland	Gullder (flerin) Deller		strictions placed on free gold exports—Sept. 20, 1933.  Newfoundland and Canadian notes legal tender.
July 1, 1938.	New Zealand	Found	1.C31 8.Z7	Conversion of notes into gold suspended and expert of gold restricted, Aug. 6, 1914; exchange regulations December 1931.
Pursuant to section 522, title IV, of the	Ì		1	December 1931.
Tariff Act of 1930, reenacting section 25	Nicaragua	Cerdoba	1.033	Embargo on gold exports Nov. 13, 1931.
ZOULD ITOU OF TOOM SOUTH BOOK BO	1461MBA	44.0 ii V		s constitution of march supply flows confirming mobile and sector

Values of Foreign Monetary Units (at Par as Regards Gold Units; Nongold Units Have No Fixed Par With Gold) -Continued

Country	Monetary unit	Value in terms of U.S. money	Remarks
Panama	Ralbas	1 6022	U. S. money is principal circulating medium.
Paraguay	Balboa Peso (Argentine)	1. 6335	Paraguayan paper currency is used; exchange control
Persia (Iran)	Rial	.0824	established June 28, 1932. Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Peru	gol	. 4740	Conversion of notes into gold suspended May 18, 1932.
Philippine Islands	Peso		By act approved Mar. 16, 1935.
Poland	Zloty	.1899	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania	LeuColon	.0101 .8466	Exchange control established May 18, 1932.
Salvador	Baht (Tical)	. 7491	Conversion of notes into gold suspended Oct. 7. 1931.
Siam Spain	Peseta	.3267	Conversion of notes into gold suspended May 11, 1932. Exchange control established May 18, 1931.
Straits Settlement	Dollar	.9613	British pound sterling and Straits dollar and half dol-
busin bettlement	Donat	. 9013	lar legal tender.
Sweden	Krona	. 4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc.		Order of Federal Council enacted Sept. 27, 1936, in-
			structed the Swiss National Bank to maintain the
		i I	gold parity of the franc at a value ranging between
		l i	190 and 215 milligrams of fine gold.
Turkey	Piaster	.0744	100 piasters equal to the Turkish £; conversion of notes
		i	into gold suspended 1916; exchange control estab-
			lished Feb. 26, 1930.
Union of South Africa		8. 2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Republics.	Chervonetz	6583	O
Uruguay	Peso	. 0583	Conversion of notes into gold suspended Aug. 2, 1914;
		1	exchange control established Sept. 7, 1931. New
	,	1	gold content of .535018 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Venezuela	Bolivar	.3267	Exchange control established Dec. 12, 1936.
Yugoslavia			Exchange control established Oct. 7, 1931.
# #80310 110	~		Date of the control o

# SECURITIES AND EXCHANGE COM- | heretofore filed a separate application MISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of July, A. D. 1938.

rFile No. 46-771

In the Matter of the Middle West CORPORATION

AMENDMENT TO ORDER GRANTING EXEMPTION

The Middle West Corporation, a registered holding company, having heretofore applied, pursuant to Section 9 (c) (3) of the Public Utility Holding Company Act of 1935, for an order exempting from the provisions of Section 9 (a) the applicant's acquisition of not more than 10,000 shares of the \$6.00 cumulative preferred stock of Central Illinois Public Service Company, one of its subsidiaries; the Commission having by its order of November 26, 1937, granted such exemption subject to certain conditions specified in such order, one of which was that such order should expire at the close of business on June 30, 1938;

The Middle West Corporation having now filed an application in the same proceeding to extend the life of such order until the close of business on October 30. 1938, and having represented that at the close of business on June 16, 1938, it had acquired 7,200 shares of said stock out of the 10,000 authorized to be acquired and that it believes that acquisitions under such order will be concluded by September 30, 1938;

said The Middle West Corporation has on the 2nd day of July, A. D. 1938.

(File No. 46-97) for an order exempting from the provisions of Section 9 (a) the applicant's acquisition of not more than an additional 20,000 shares of said preferred stock, which application has not yet been acted upon by the Commission:

It is ordered, That said order of the Commission dated November 26, 1937, be, and the same hereby is, amended by striking from paragraph (3) of the conditions to the order the words "June 30, 1938" and substituting in lieu thereof the words "on or after the date the Commission issues its order upon the application of The Middle West Corporation (File No. 46-97), the Commission reserving jurisdiction to further extend the life of the original order in these proceedings, if it be then so advised, and to attach such additional terms and conditions to such amendatory or supplemental order or orders as the Commission may prescribe":

It is further ordered, That in all other respects the conditions to said order shall remain unchanged and in full force and

By the Commission.

[SEAL] FRANCIS P. BRASSOR. Secretary.

[F. R. Doc. 38-1917; Filed, July 5, 1938; 3:51 p.m.]

United States of America-Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its It appearing to the Commission that office in the City of Washington, D. C.,

[File No. 51-12]

In the Matter of Columbia Gas & Elec-TRIC CORPORATION

ORDER REGARDING DECLARATION AND PAY-MENT OF DIVIDENDS

Columbia Gas & Electric Corporation. a registered holding company, having filed a supplemental application, pursuant to Section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule 12C-2 promulgated thereunder, regarding the declaration and payment of its regular August 15, 1938 quarterly dividends on its Cumulative 6% Preferred Stock, Series A, its Cumulative Preferred Stock, 5% Series, and its 5% Cumulative Preference Stock;

A hearing having been held on such supplemental application after appropriate notice,1 and the Commission having considered the record in this matter and having made and filed its opinion and findings herein:

It is ordered, That the declaration and payment of said dividends be and the same hereby are approved, upon condition, however, that said declaration and payment shall be out of earnings since December 31, 1937 insofar as such earnings shall be available and that to the extent that the August 15 dividend requirements may exceed 1938 earnings and to the extent that applicant may be required to charge any deficiency to "Surplus at December 31, 1937", applicant shall restore to said surplus account an equivalent amount out of its next available 1938 earnings.

It is further ordered, That the reservation of jurisdiction contained in the Commission's order of April 8, 1938, insofar as it concerns the declaration and payment of the November 15, 1938 preferred and preference dividends, remains in full force and effect.

By the Commission.

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-1916; Filed, July 5, 1938; 3:51 p. m.]

United States of America-Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of July, A. D. 1938.

[File No. 43-1331

In the Matter of Staten Island Edison CORPORATION

NOTICE OF AND ORDER FOR HEARING

A Declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on July 13, 1938, at 10:00 o'clock in the forenoon of that day, at

<sup>&</sup>lt;sup>1</sup>3 F. R. 678, 1354 (DI).

the Securities and Exchange Building, | date thereafter to be fixed by such pre-|ing and Improvement Mortgage 4% 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearingroom clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Charles S. Moore or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone Company, a registered holding company, said hearing from time to time or to a concerning the issue and sale of Refund-

siding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 12, 1938.

The matter concerned herewith is in regard to a Declaration filed by the above-named party, a subsidiary of New York State Electric and Gas Corporation. in turn a subsidiary of NY PA NJ Utilities

Bonds, due July 1, 1939, in the principal amount of \$2,000,000; said bonds to be secured by an Indenture of Mortgage dated July 1, 1923 as supplemented and/ or amended by certain supplemental indentures, including a supplemental indenture dated as of July 15, 1938; the proceeds of such bonds to be used for the purpose of refunding the presently outstanding principal amount of \$2,000,000 of Refunding and Improvement Mortgage 4% Bonds, originally due August 15, 1937 and extended to July 15, 1938.

By the Commission.

[SEAL] FRANCIS P. BRASSOR. Secretary.

[F.R. Doc. 38-1927; Filed, July 6, 1938; 12:50 p.m.]

No. 131----2